

AMENDMENTS TO THE DRAWINGS

The attached Replacement Sheet of drawing includes changes to reflect the name of each component/element/device as described in the specification. This Replacement Sheet replaces the originally filed drawing. No new matter has been added. The boxes have been filed in with descriptors from the specification.

Attachment: Replacement Sheet

REMARKS/ARGUMENTS

Claims 10-21 are pending in the application. Claims 10-21 have been canceled without prejudice or disclaimer, new claims 22-30 have been added. No new matter has been added. Reconsideration of the claims is respectfully requested.

Drawings Rejections

Applicants note that the drawings were objected to under 37 C.F.R. §1.83(a) as failing to show the name of each component/element/device as described in the specification. Applicant has submitted a Replacement Sheet reflecting the names of the component/element/device as described in the specification.

Claim Rejections – 35 U.S.C. § 112

In paragraph 5 on page 5 of the Office Action, claims 10-21 are rejected under 35 U.S.C. § 112 second paragraph for failing to define the invention. Claims 10-21 have been cancelled. It is believed that all new claims comply with 35 U.S.C. § 112.

Claim Rejections – 35 U.S.C. § 102

In paragraph 7 on page 5 of the Office Action, claims 10-12, 14-17, 20 and 21 are rejected under 35 U.S.C. §102 (b) as being anticipated by Shaffer et al (EP 0990969).

Claim Rejections – 35 U.S.C. § 103

In paragraph 10 on page 8 of the Office Action, claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Shaffer et al. (EP 0990969) in view of Nassimi et al. (US Publication No. 2004/0203357).

In paragraph 11 on page 8 of the Office Action, claim 19 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Shaffer et al. (EP 0990969) in view of

Nassimi et al. (US Publication No. 2004/0203357) as applied to claim 10 above and further in view of Chandley (US Patent No 7349689).

In paragraph 12 on page 9 of the Office Action, claim 13 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Shaffer et al. (EP 0990969) in view of Nassimi et al. (US Publication No. 2004/0203357) as applied to claim 10 above and further in view of Rojas (US Publication No 2009/0161664).

This amendment is responsive to the office action mailed 17 March 2010. The original claims have been cancelled in favor of new claims 22-30. This is being done as a convenience to make the claims easier to read but it is not an admission that the prior claims or parts thereof are unpatentable. Much of the prior claim set has been retained and re-presented in the new claims.

New claim 22 addresses the primary citation of EP 0990969 (Shaffer et al.). Shaffer has recognized the possibility of building a softphone into a PC and further that the softphone can be answered when the PC is in a locked mode. The solution of Shaffer is however fundamentally different from claim 1. In Shaffer, there is a single box containing the pc, softphone and override software. The pc keyboard and mouse have direct access to the CPU for creating the override. In the present invention, the control unit which gives the headset access to the softphone while locked is not part of the pc and thus does not have direct access to the software. This is not merely a matter of having one box or two. Unlike the solution of Shaffer which has total access to the operating system and hardware, this invention presents a more complex problem/solution. It uses a 3rd party device (control unit) which must gain access to the inner workings of the pc to not only bypass the pc lock but communicate around the hardware and software to which it does not directly connect. Nothing in the Shaffer disclosure would suggest this solution. It does not even show a separate bypass control.

There has been a long felt need to find ways to solve the problem of the present invention. Headsets, pc and pc based telephone in various forms, have been around

for a long time. Likewise the need to lock a pc keyboard/mouse for security reasons has existed since pc's were invented. The lock/unlock solution of Shaffer does not address the problem of a remote headset used by, for example, a receptionist away from his/her desk and needing to answer a pc based phone device. In Shaffer, if the receptionist is not in reach of the keyboard/mouse, the call cannot be answered.

The remaining citations to Nassimi (bluetooth), Chandley (general use of USB ports) and Rojas (usb ports and voip phone on the internet), still have no teaching of dealing with the lock/unlock issue. As mentioned, Shaffer addresses a solution which does not allow for remote unlocking and furthermore does not recognize the problem.

Finally, without the benefit of hindsight, it would not be “obvious to try” the present solution. Clearly at the time of Shaffer, there were remote and wireless headsets. If it was obvious to try the solution of the present invention, Shaffer certainly would have included it in his disclosure. But in fact, no one has considered this solution because it first requires a recognition of the problem, which is not the case in Shaffer.

The remaining claims 23 – 30 provide additional refinements on this concept, not shown in the prior art.

CONCLUSION

In view of the amendments and reasons provided above, it is submitted that all pending claims are in condition for allowance. Applicant respectfully requests favorable reconsideration and early allowance of all pending claims.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicant's attorney of record, Michael B. Lasky at (952) 253-4106.

Respectfully submitted,
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MBL/